



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
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ATLANTA, GEORGIA 30303-8960

September 30, 2014

Roy E. Crabtree, Ph.D.  
Regional Administrator  
Southeast Regional Office  
National Marine Fisheries Service  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, Florida 33701

**Subject: EPA NEPA Review Comments on NMFS's DSEIS for "Draft Amendment 16 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, U.S. Waters - Adjustments to the Annual Catch Limit and Accountability Measures for Royal Red Shrimp"; CEQ #20140232**

Dear Dr. Crabtree:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject National Marine Fisheries Service (NMFS) Draft Supplemental Environmental Impact Statement (DSEIS) in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. EPA understands that this DSEIS analyzes the impacts of a reasonable range of alternatives intended to: 1) set the commercial annual catch limit for royal red shrimp and determine if the use of a commercial quota should continue, and 2) choose a commercial accountability measure for royal red shrimp. This DSEIS is a supplement to the EIS for the Final Generic Annual Catch Limits/Accountability Measures Amendment for the Gulf of Mexico Fishery Management Council's Red Drum, Reef Fish, Shrimp, Coral and Coral Reefs Fishery Management Plans.<sup>1</sup>

EPA has the responsibility to review and comment on major Federal actions significantly affecting the quality of the human environment, including FMPs and FMP Amendments (Amendments) as developed, approved, and implemented under the MSA where those Plans and Amendments are subject to the EIS requirement of NEPA, but it should be clear that we defer to NMFS and the Council as to the development of fishery statistics and the relative importance of the commercial and recreational fisheries for each species.

Based on our review, we offer the following comments for the preferred alternatives for the two actions covered within the DSEIS.

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<sup>1</sup> p. I of DSEIS

#### Environmental Justice Analysis

EPA appreciates the NMFS including an Environmental Justice discussion in Section 3.5.1 of the DSEIS. We understand that data relating to the demographics of the fishing community that may be impacted by this Federal action is limited. As demographic data becomes available EPA recommends more detailed EJ analyses be included in future NEPA documents. We expect minimal impact on subsistence fishing associated with this action, but we recommend NMFS include a brief discussion in the FSEIS of the proposed amendment's impact on subsistence fishing in the Gulf region.

#### Data Collection for Royal Red Shrimp Landings

It is stated in the DSEIS that "NMFS only receives data from selected dealers with royal red shrimp landings through the Commercial Landings System twice per month. The system then uses historical landings of royal red shrimp to calculate expansions for non-reporting dealers, and to project closure dates. These practices lead to high uncertainty for in-season monitoring."<sup>2</sup> EPA assumes that the system of estimating landings for non-reporting dealers will continue under the preferred alternative for Action 2. EPA recommends discussion of why data is not collected from all dealers and how estimating landings using extrapolations for non-reporting dealers impacts overall estimates of landings in the FSEIS.

#### **EPA DSEIS Rating:**

Although we offer some clarifying comments on this DSEIS, EPA supports NMFS on Amendment 16 and gives deference to its fishery expertise. Therefore, EPA rates this DSEIS as "LO" (Lack of Objections). Nevertheless, we request that NMFS respond to our comments in a dedicated section of the FSEIS.

EPA appreciates the opportunity to review this DSEIS. Should NMFS have questions regarding our comments on the Amendment actions, please feel free to contact Dan Holliman at 404/562-9531 or [holliman.daniel@epa.gov](mailto:holliman.daniel@epa.gov) of my staff.

Sincerely,



Heinz J. Mueller  
Chief, NEPA Program Office

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<sup>2</sup> p. 21 of DSEIS